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EXAMINER

VANDERPUE, KENNETH N

ART UNIT	PAPER NUMBER
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2661

DATE MAILED: 01/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/642,671

Applicant(s)

LANG, ALEXANDER C.

Examiner

Kenneth N Vanderpuye

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 34-39 is/are allowed.
- 6) ☒ Claim(s) 1-4,6,13-17,21,22,24 and 26-28 is/are rejected.
- 7) ☒ Claim(s) 7-12,18-20,23,25 and 29-33 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2-3. 6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 2, 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Wiener et al(6,324,264).

With regards to claim 1 Weiner teaches a method of completing a call connection over the PSTN from a desktop application residing on a computer, said method comprising:

accepting call request information input by a user using an interface provided by the desktop application(Fig. 1, user selects party displayed by the directory service, by clicking an icon); formulating a call connection request message based on said information accepted from said user;(the connect message is formulated at the workstation the sent to the IN platform via the directory server) and forwarding the call request message over a connection established between the desktop application and a LDSP to effect call completion. (Fig. 1, directory service forwards connect message to the IN platform)

With regards to claim 2, Wiener teaches a method wherein formulating a call connection request message is initiated when the use enables an application feature available on said interface.(user clicks on an icon, col 3 lines 48-50)

With regards to claim 4, Wiener teaches a method wherein said application prompts the desktop application to retrieve predetermined call

station information and forward said call connection request.(col. 3 lines 52-53)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiener in view of Brinskele(5,553,124).

With regards to claim 3, Wiener fails to teach a method wherein inputting call request information includes selecting call station information from a directory stored on said workstation. The directory service in Wiener is remote. Brinskele teaches a workstation with pull-down menu with options for selecting from a directory, a list of telephone numbers.(col. 9 lines 57-67). It would have been obvious to one of ordinary skill in the art to combine this feature with Wiener for the purpose of enabling the selection of party B by the user locally. The motivation being to avoid time lost in accessing a remote directory.

With regards to claim 6, Wiener fails to teach a method wherein said call station information is stored in said directory in association with a call party name. Brinskele teaches a workstation with pull-down menu with options for selecting from a directory, a list of telephone numbers.(col. 9 lines 57-67, see also col 10 lines 1-4). It would have been obvious to one of ordinary skill in the art to combine this feature with Wiener for the purpose of enabling the selection of party B by the user locally. The motivation being to avoid time lost in accessing a remote directory.

Claims 13, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiener et al. in view of Nagata et al(6,181,680).

With regards to claim 13 Wiener teaches a method comprising the steps of receiving a call request message a LDSP server, send from a desktop application, verifying identification information contained in said message; processing said call connection request message to enable a call connection based on call station information contained in said message. What Wiener fails to teach is sending a notification to the desktop application, to notify the desktop application that said call connection is in progress. Nagata teaches a call setup procedure whereby when a call setup request is made by a user, a call setup process in progress signal is

returned to the user.(col. 11 lines 14-16) It would have been obvious to one of ordinary skill in the art to combine this feature with Wiener for the purpose of informing the user that the setup is in progress. The motivation being to enable the user to determine if the call is in progress or if the user must try again at another time.

Claims 15 is rejected because Wiener teaches receiving at the IN platform a second message containing call station information identifying call station locations to be joined by the call connection(col. 3 lines 52-64). Wiener is silent about sending user ID information and being verified as an authorized user by confirmation. Official notice is taken that this feature is well known in the art as a security procedure for verifying access to the network and also for billing purposes. It would have been obvious for one of ordinary skill in the art to combine this well known art with Wiener and Nagata for the purpose of user identity verification. The motivation being to prevent access by an unauthorized user.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wiener et al. in view of Nagata et al(6,181,680) and further in view of Lynch et al(5,649,005).

With regards to claim 14, Wiener teaches a method wherein the step of processing said call connection request message further comprises the steps of: formulating a call request packet based on said call station information(col. 3 lines 52-67 to col. 4 line 1, connect message); and forwarding said call request packet to a call controller connected to a TDM switch for effecting a call connection between stations identified in said call connection request message. (col 4 lines 1-5, the IN platform provides control signals to a circuit switch). Although Wiener is silent about the call controller, call access controller are inherent feature for accessing a PSTN. This feature is taught by Lynch.(Fig. 1@13). The call controller is connected to a TDM switch. It would have been obvious to one of ordinary skill in the art to combine Wiener and Nagata with Lynch for the purpose of controlling call access to the PSTN. The motivation being to ensure that call volume is controlled in such a way that those calls that are accepted have enough bandwidth allocated to them.

Claims 16, 17, 22, 24, 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiener et al. in view of Lynch et al(5,649,005

Claim 16 is rejected because Wiener teaches a system comprising: a long distance service provider server adapted to establish a call connection

between at least two call stations in response to a call connection request message sent from a registered user(Fig. 18), a desktop application adapted to operate locally on a user workstation to accept input from said registered user defining parameters for establishing said call connection, and communicate said parameters to said LDSP server in the form of a call connection request message(Fig. 1@16, col. 1lines 22-67) Wiener is silent as to a call controller adapted to receive a call information packet from said LDSP server and based on said call connection request message instruct a TDM switch to establish a call connection between said at least two stations. However in col. 4 lines 1-5, wiener teaches an IN platform that provides control signals to a circuit switch in a PSTN but no call controller. This feature is taught by Lynch.(Fig. 1@13). The call controller is connected to a TDM switch. It would have been obvious to one of ordinary skill in the art to combine Wiener and Nagata with Lynch for the purpose of controlling call access to the PSTN. The motivation being to ensure that call volume is controlled in such a way that those calls that are accepted have enough bandwidth allocated to them.

Claim 17 is rejected because in Wiener the workstation communicates with the IN platform via the directory service using a connect message(col. 3 lines 52-67).

Claim 22 is rejected because official notice is taken that the concept of speed dialing is well known in the art. It would have been obvious to combine his feature with Wiener in view of Lynch for the purpose of speed dialing another party. The motivation being to decrease dialing time.

Claims 24, 26 are rejected because official notice is taken that the use of encryption and decryption are used frequently in the field of telecommunications for security purposed. It would have been obvious to one of ordinary skill in the art to combine this feature with Wiener in view of Lynch for the purpose of ensuring secured communication. The motivation being to avoid eavesdropping.

Claim 27 is rejected because in Wiener, the In platform is enabled the connect message sent via the directory service from the workstation.(Fig. 1)

Claim 28 is rejected because the user in Wiener clicks on an icon to enable a web application on the internet(Fig. 1)

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wiener et al. in view of Lynch et al(5,649,005) and further in view of Brinskele(5,553,124).

Both Wiener and Lynch do not teach a workstation that supports a call station directory. Brinskele teaches a workstation with pull-down menu with options for selecting from a directory, a list of telephone numbers.(col. 9 lines 57-67). It would have been obvious to one of ordinary skill in the art to combine this feature with Wiener for the purpose of enabling the selection of party B by the user locally. The motivation being to avoid time lost in accessing a remote directory.

Allowable Subject Matter

Claims 34-39 allowed.

Claims 7-12, 18-20, 23, 25 29-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth N Vanderpuye whose


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telephone number is 703-308-7828. The examiner can normally be reached on M-F(7:30-5:00) Second Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Olms can be reached on 703-305-4703. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



KENNETH VANDERPUYE
PRIMARY EXAMINER

KNV
January 5, 2007